



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION**

ALICIA OVERTON,  
Plaintiff,

vs.

LASH GROUP,  
Defendant.

§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 0:22-2903-MGL-TER

---

---

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
AND GRANTING DEFENDANT'S MOTION TO DISMISS**

---

---

Plaintiff Alicia Overton (Overton) filed this job discrimination action against Defendant Lash Group (LG). The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting LG's motion to dismiss be granted and Overton be given the opportunity to file an amended complaint. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on July 11, 2023, but neither party filed any objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report to the extent it does not contradict this Order, and incorporates it herein. Therefore, it is the judgment of this Court LP’s motion to dismiss is **GRANTED**. Overton may file an amended complaint within fourteen days of the filing of this Order if she wishes to do so.

**IT IS SO ORDERED.**

Signed this 26th day of July, 2023, in Columbia, South Carolina.

s/ Mary Geiger Lewis  
MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE